

REMARKS

Claims 1-9 and 11-24 are currently pending in the application. Claims 1 and 17-22 have been amended. Claims 7 and 24 have been canceled. No claims have been added. Therefore, claims 1-6, 8, 9 and 11-23 will be pending in the application after entry of the foregoing claim amendments.

Interview Summary

Applicant gratefully acknowledges the time and attention afforded by Examiner Gilles during a telephonic interview on April 21, 2008. During the interview, Applicant's representative and Examiner Gilles discussed the claimed subject matter, the cited references, and the non-anticipatory and the non-obvious nature of the claims in view of the cited references. Applicant's representative proposed amending the claims to further distinguish the claimed subject matter from the cited references. Examiner Gilles agreed to reconsider the application in view of the proposed amendments. Accordingly, Applicant has amended the claims as discussed during the telephonic interview.

Rejection under 35 U.S.C. § 103(a)

Claims 1-9 and 11-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,155,508 ("Sankuratripati") in view of U.S. Patent Application Publication No. 2002/0111832 ("Judge"). Without conceding the merits of the rejection, Applicant has amended the claims in an effort to facilitate prosecution.

Independent claim 1 has been amended to incorporate the subject matter previously recited in dependent claim 7. In particular, claim 1 now recites, in part, an instruction set that includes an algorithm for operating on a generated user preference to obtain a range of concentric user-targeted content. The range of concentric user-targeted content includes a buy content offering, a product content offering, and a brand content offering. The buy content offering includes a product that is directly related to a user's request. The product content offering includes another product that is indirectly related to the user's request and that is correlated to the user's profile information. The brand content offering includes yet another product that is indirectly related to user's request and that is correlated to the user's profile information and content usage information. As such, each of the content offerings is correlated in varying degrees to the generated user preference.

For example, in an embodiment, a user may request original content relating to flea removal for pets (*Specification* at p. 15, lines 2-3). In addition, the user's profile information may indicate that the user is a dog owner and a SUV owner, and the user's recent content usage history may indicate that the user was requesting travel content (*id.* at p. 15, lines 3-6). Employing this content usage information and processing it with the user's profile information, a concentric user-targeted content delivery system may aggregate a range of relevant content offerings including a dog flea collar advertisement as a "buy" content offering, a pet deodorizer for vehicles as a "product" content offering, and a kennel shelter as "brand" content offering (*id.* at p. 15, lines 4-19). Thus, as would be appreciated by one skilled in the art, the claimed embodiments may offer more comprehensive, relevant content by matching content (*e.g.*, a kennel shelter) based on various types of seemingly unrelated user information (*e.g.*, user usage information indicating a request for travel content and user profile information indicating that a user is a pet owner) (*id.* at p. 5, lines 6-8).

With regard to claim 7, the Office Action contends that ¶¶ [0066] – [0068] of Judge disclose a range of concentric user-targeted content having the recited content offerings (*see* Office Action dated January 23, 2008 ("Office Action") at pp. 5-6). Applicant respectfully disagrees. While Judge discloses matching a particular content to a user's profile and preferences, the cited portions of Judge do not teach or suggest that the matched content includes a range of content as recited in claim 1.

More specifically, Judge discloses a method for user profiling and behavior management that includes a behavior routine (Judge at ¶¶ [0015] and [0066]). Judge's behavior routine operates on a user's profile and preferences to match relevant content for the user (*id.* at ¶ [0066]). For example, the user's profile may identify the user as having high cholesterol, and the user's preferences may identify the user as being interested in resources to assist with managing this condition (*id.* at ¶ [0068]). In addition, the user's health plan may be providing free cholesterol screening at a local store (*id.*). Judge's behavior routine may then match a content directed to the free cholesterol screening at the local store based on the user's profile and preferences (*id.*). In other words, Judge's behavior routine matches a particular content (*i.e.*, free cholesterol screening) with the user's interest in managing high cholesterol. The cited portions of Judge do not teach or suggest ***matching additional content***

that also may be relevant (in varying degrees) to the user's interest in managing high cholesterol.

As acknowledged in the Office Action, Sankuratipati does not supply the missing teachings of Judge (*see* Office Action at p. 3).

Accordingly, Applicant respectfully submits that claim 1 patentably defines over the combination of Sankuratipati and Judge because, *inter alia*, neither reference teaches or suggests obtaining a range of concentric user-targeted content that includes at least three content offerings, such as a buy content offering, product content offering, and a brand content offering, each correlated in varying degrees to a generated user preference. Applicant respectfully requests, therefore, withdrawal of the rejection of claim 1 under 35 U.S.C. § 103(a).

Independent claims 17 and 22 each recite similar subject matter as discussed above with respect to claim 1. Thus, Applicant respectfully submits that claims 17 and 22 patentably define over the combination of Sankuratipati and Judge for at least the same reasons discussed above. Applicant respectfully requests, therefore, withdrawal of the rejection of claims 17 and 22 under 35 U.S.C. § 103(a).

As claims 1-6, 8, 9 and 11-16 depend from claim 1, claims 18-21 depend from claim 17, and claim 23 depends from claim 22, Applicant further submits that the dependent claims likewise patentably define over the combination of Sankuratipati and Judge. Applicant respectfully requests, therefore, withdrawal of the rejection of the dependent claims under 35 U.S.C. § 103(a).

DOCKET NO.: MSFT-0673/174290.01
Application No.: 10/023,285
Office Action Dated: January 23, 2008

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CONCLUSION

In view of the foregoing, Applicant respectfully submits that the claims are allowable and that the present application is in condition for allowance. Reconsideration of the application and an early Notice of Allowance are respectfully requested. In the event that the Examiner cannot allow the present application for any reason, the Examiner is encouraged to contact the undersigned attorney, Bryan T. Giles, at (215) 564-8954 to discuss the resolution of any remaining issues.

Respectfully submitted,

Date: April 23, 2008

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